

February 8, 1980

LB 810

SPEAKER MARVEL: Okay, record.

CLERK: Senator Labeledz voting aye. 26 ayes, 5 nays, Mr. President, on the motion to advance.

SPEAKER MARVEL: The motion carried. The bill is advanced. The next bill is LB 810.

CLERK: Mr. President, LB 810 was introduced by Senator Hefner. (Read title to LB 810.) The bill was read on January 17. It was referred to the Government Committee. It was advanced to General File. I have no amendments.

SPEAKER MARVEL: The Call is raised. The Chair recognizes Senator Hefner.

SENATOR HEFNER: Mr. President and members of the body, I move the advancement of LB 810. This bill was brought to me by the State Fire Marshal and by the fire chiefs across the state. This bill would give immediate remedy to burning problems throughout the state. I want to emphasize that it does not prevent burning, it only regulates it. When the State Fire Marshal puts a statewide burning into effect, this bill would allow the local fire chief the right to waive the ban if the weather conditions are okay in his locality. If the local fire chief wants to have a fire truck stand by the scene, or maybe it is too windy and he would suggest waiting until the next day, and all of these things are possible under this bill. It is the local fire chief's decision and I feel that this is the way it should be. The local fire chief should have this power. He does not at this time. This bill does carry a penalty. It is a class four misdemeanor and this is the lowest penalty we now have, and the reason that we wanted a penalty in this bill is to remove the problem burners, and it is these problem burners that cause the needless fire runs by the firemen throughout the state. And, of course, every time that firemen are called to a fire, there are chances of somebody getting hurt, and this is especially true like with the volunteer fire departments. Most of them are working at their jobs and when a fire call is made, well they rush to the fire, and when they are doing this they are coming from all directions and so chances of having an accident are a little greater than otherwise. And, of course, many times volunteer firemen will be driving their own cars to these fires. This bill allows the local fire chief to waive the ban for the areas under his jurisdiction, and this is after the State Fire Marshal has put a statewide ban across the state. The State Fire Marshal will issue permits